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E-FILED

**FILED** **RECEIVED**  
JAN 2 2000

JAN 30 2008

**RECEIVED**

JAN 30 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

## STIPULATION

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the status hearing in the above-captioned matter, presently scheduled for February 21, at 9:30 a.m., may be continued to March 13, 2008, at 9:30 a.m. The continuance is being requested due to a change in defense counsel and newly assigned defense counsel will need additional time to review the case, complete the process of obtaining Mr. Johnsen's medical records, complete further investigation and will need time to discuss the matter with his client,. The defense believes that completion of the above tasks may enable the parties to resolve the case pursuant to a plea agreement and/or be ready to proceed to trial.

25 The parties further agree and stipulate that time should be excluded from and including  
26

**STIPULATION TO CONTINUE HEARING;  
[PROPOSED] ORDER  
No. CR 07-00722-HRL**

1 February 21, 2008 through and including March 13, 2008, to provide counsel reasonable time to  
2 prepare, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv). Accordingly, the  
3 United States and the defendant agree that granting the requested exclusion of time will serve the  
4 interest of justice and outweigh the interest of the public and defendant in a speedy trial.

5

6 Dated: January 29, 2008

7 /s/  
8 Manuel U. Araujo  
9 Assistant Federal Public Defender

10

11 Dated: January 29, 2008

12 /s/  
13 Susan Knight  
14 Assistant United States Attorney

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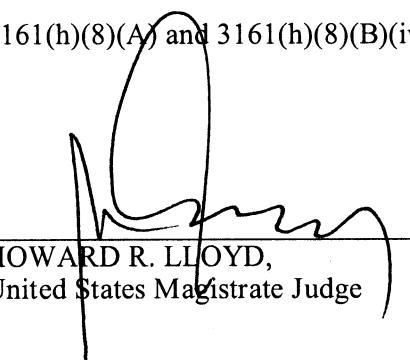
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**ORDER**

17 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status  
18 conference hearing in the above-captioned matter shall be continued from February 21, 2008, to  
19 March 13, 2008 at 9:30 a.m. as well as the period of delay from February 21, 2008, to and  
20 including March 13, 2008, be excluded for purposes of Speedy Trial Act computations pursuant  
21 to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

22

23 Dated: January 30, 2008

24   
25 HOWARD R. LLOYD,  
26 United States Magistrate Judge